

27. (Once amended) A medium that stores instructions adapted to be executed by a processor to perform the steps of:

receiving an encoded bitstream, the encoded bitstream containing video object layer data and video object plane data corresponding to a video object, the video object identified from a video data stream;

Q4 identifying a first [element] video object layer and a second [element] video object layer in the encoded bitstream, the first [element] video object layer having a first priority and the second [element] video object layer having a second priority lower than the first priority; and

decoding the first [element] video object layer to reconstruct video information contained in the bitstream.

Please add the following claim:

Q5 --28. (Newly added) The method of claim 1 ~~comprising assigning a second priority to~~ each from a plurality of video object planes of a video object and including the second priorities in the encoded bitstream.--

REMARKS:

A. Introduction

Claim 23 was rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter.

Claims 1-26 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,896,176 ("Das").

Claims 16-19 and 23 have been canceled. Claims 1-2, 4-15, 20-22, 24-27 have been amended. Claim 28 has been newly added. Thus, claims 1-15, 20-22, 24-28 are pending.

B. The Claims Particularly Point Out and Distinctly Claim the Invention

Claim 23 was rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. Claim 23 has now been canceled. Therefore, no claim remaining in the application is directed to non-statutory subject matter.

C. The Independent Claims are not Anticipated

Independent claims 1, 15, and 23-27 are not anticipated under 35 U.S.C. 102(e) by Das. Each of independent claims 1, 5, and 23-27 recites encoded video object layers with associated priorities, where the video object layers are coded video objects. As recognized by the Examiner during the interview on April 27, 2000, Das does not disclose any prioritization used in conjunction with a system that codes data according to a video object layer/video object plane hierarchy (page 2, lines 10-15). Further, Das does not show priorities that represent action that may be taken in response to changing conditions, such as channel congestion, loss of channel bandwidth, channel errors, and/or limited memory or processor resources (page 7, lines 7-9).

Das discloses neither video object layers nor video object planes. Moreover, Das does not disclose associating priorities with video object layers or with video object planes. Das generally discloses a method of transmitting video information using a technique in which given transmission of a frame of video information, a subsequent frame is communicated to the recipient by the transmission of motion vectors. The subsequent frame is thus approximated by the previous frame plus the motion vectors (col. 10, lines 14-16 of Das). Das discloses a different technique to handle the motion failure regions where this approximation breaks down. In motion failure regions, wavelet transforms are used to transform the video data. Das at col. 11, lines 55-60 indicates that regions within the motion failure region may be given a varying priority by assigning a value to each *pixel* in that region. However, Das, unlike claims 1, 5, and 23-27, does not disclose high-level structures such as video object layers or video object planes, and in particular, does not disclose assigning priorities to such high-level structures. Moreover, Das teaches away from the invention disclosed in the present application, by limiting the assigning of priorities to only motion failure regions. Because Das does not disclose at least two elements of independent claims 1, 5 and 23-27, and because Das teaches away from the invention in the present application, Das does not anticipate the independent claims under 35 U.S.C. 102(e). Therefore, claims 1, 5 and 23-27 should be allowed.

D. The Dependent Claims are not Obvious in Light of the Cited References

The dependent claims 2-14, 28 and 20-22 depend from independent claims 1 and 15, respectively. Because the independent claims are not anticipated in light of the cited reference, these dependent claims are also not anticipated by the cited reference and should be allowed.

E. Conclusion


In light of the above remarks, the Applicants respectfully request the issuance of a Notice of Allowance.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss the application.

Respectfully submitted,

Date: _____



Sinan Utku
(Reg. No. P-46,137)

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, DC 20005
Phone: (202) 220-4200
Facsimile: (202) 220-4201